

Attachment 3 (a)

93591.TXT

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1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4
5 IROQUOIS GAS TRANSMISSION SYSTEM L.P.,
6 Plaintiff,
7
8 -against-
9
10 ASSOCIATED ELECTRIC & GAS INSURANCE
11 SERVICES LTD., Hamilton, Bermuda; CERTAIN
12 UNDERWRITERS AT LLOYD'S; AON RISK SERVICES
13 OF TEXAS, INC.; and AMERICAN HOME
14 ASSURANCE CO.,
15 Defendants.
16
17 05 CV 2149 (JSR)

12 August 3, 2005
13 10:16 a.m.

14
15
16
17 DEPOSITION of MICHELLE L.
18 WIELER, taken by Defendants, pursuant to
19 Notice, held at the offices of HEALY &
20 BAILLIE, LLP, 61 Broadway, New York, New
21 York before Wayne Hock, a Notary Public of
22 the State of New York.

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1 M. L. Wieler

2 MR. RADZIK: If we could get them
3 marked as the next exhibit. And these
4 bear Bates stamp numbers IRO/AE 00584
5 through 00604.

6 (Whereupon, a letter with
7 attachments dated March 17, 2003
8 was marked Deposition Exhibit 11
9 for identification.)

10 Q. Ms. Wieler, I show you what's
11 been marked as Exhibit 11 in this case.

12 On the first page bearing Bates
13 stamp number IRO/AE 00584, do you
14 recognize this document?

15 A. I do.

16 Q. Is that your signature on the
17 bottom?

18 A. Uh-huh.

19 Q. Now, in addition to notifying
20 Iroquois' own insurance, who I understand
21 to be Liberty Mutual?

22 A. That's correct.

23 Q. AEGIS and Energy Insurance
24 Mutual?

25 A. That's correct.

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1 M. L. Wieler

2 Q. Did you notify the insurers of
3 anyone else?

4 A. Yes. Actually, legal had also
5 instructed me to contact Horizon's risk
6 manager, at the time it was Bill Arnold,
7 and confirm that they had notified their
8 insurance carriers as well, which I did.
9 I did contact him and he assured me that
10 his brokers at Aon were providing
11 notification to all the insurers.

12 Q. Now, in addition to Aon
13 providing notice to all of the Horizon's
14 insurers, did Iroquois take it upon
15 itself --

16 A. Yes, we did -- to notify --

17 Q. If you could wait until I finish
18 the question.

19 Did Iroquois take it upon itself
20 to notify Horizon's insurers?

21 A. Yes.

22 Q. And is this first page that
23 we're looking at here, Exhibit 11, Bates
24 stamp 584, Iroquois' notice to AEGIS, one
25 of Horizon's underwriters?

□

13

1 M. L. Wieler

2 A. Yes.

3 Q. And you understand this to be
Page 11

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4 Horizon's protection and indemnity
5 underwriter?

6 A. Yes.

7 Q. And the second page of the
8 exhibit, 585, is that the return receipt
9 information on the certified mail that you
10 sent to AEGIS?

11 A. Yes.

12 Q. If you could refer to the next
13 page of the exhibit which is Bates
14 stamped 579, do you recognize that
15 document?

16 A. Yes, I do.

17 Q. And is that a notification dated
18 March 18, 2003 to American Home Assurance
19 Company, also one of Horizon's excess
20 liability underwriters?

21 A. Yes.

22 Q. And the next page which is also
23 a letter addressed to American Home
24 Assurance Company dated March 17, 2003, is
25 that a letter that you sent to American

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1 M. L. Wieler

2 Home?

3 A. Yes.

4 Q. And the next page with Bates
5 stamped 588, do you also recognize that to
6 be a letter from you dated March 18, 2003

93591.TXT

7 addressed to American Home care of
8 American International Marine Agency,
9 Inc., the excess liability underwriters
10 for Horizon?

11 A. I do.

12 Q. And the following page bearing
13 Bates stamp 589, do you recognize that to
14 be the return receipt information for
15 certified mail going to American Home?

16 A. I do.

17 Q. The next page bearing Bates
18 stamp 590, is that a letter dated
19 March 18, 2003 also addressed to American
20 Home care of American International Marine
21 Agency of Houston, Texas with respect to
22 Horizon's general liability policy?

23 A. Yes.

24 Q. And the next page is the return
25 receipt information for that mailing?

□

15

1 M. L. Wieler

2 A. Yes.

3 Q. The next page bearing Bates
4 stamp 582 is a letter from you dated
5 March 18 addressed to Navigators Insurance
6 Company via Navigators Insurance Services
7 of Texas, Inc., Houston, Texas with
8 respect to Horizon's excess liability
9 policy.

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10 Do you recognize that to be the
11 case?

12 A. I do.

13 Q. The next letter, which is a
14 piece of correspondence bearing Bates
15 stamp number 583 addressed to the
16 Steamship Mutual Underwriting Associates
17 Bermuda LTD in London, England, do you
18 recognize this to be a letter dated
19 March 17, 2003 to that company?

20 A. I do.

21 Q. The next document bearing Bates
22 stamp 596 is a letter dated March 17, 2003
23 addressed to Liberty Insurance
24 Underwriters with respect to Horizon's
25 excess liability policy.

□

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1 M. L. Wieler

2 Do you recognize that to be the
3 case?

4 A. I do.

5 Q. And the next page bearing Bates
6 stamp 597, is that the return receipt
7 information with respect to the mailing to
8 Liberty Insurance Company -- Liberty
9 Insurance Underwriters?

10 A. I do.

11 Q. The next letter in the
12 Exhibit 11 bears Bates stamp 600 addressed
Page 14

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13 to Navigators with the address crossed out
14 is 2121 Sage, suite 145, Houston, Texas,
15 is that your writing?

16 A. It is.

17 Q. Is that a mailing that you sent
18 to Navigators Insurance Company on or
19 about March 17, 2003?

20 A. It is.

21 Q. And the next document is a
22 document bearing Bates stamp 601, is that
23 the return receipt information with
24 respect to the mailing to Navigators
25 Insurance?

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1 M. L. Wieler

2 A. It is.

3 Q. The next document bearing Bates
4 stamp 602, is that a letter dated
5 March 17, 2003 addressed to Excess
6 Specialty Insurance Company, also one of
7 Horizon's excess liability underwriters,
8 from you on that date?

9 A. It is.

10 Q. And the next document in the
11 package is -- bears Bates stamp
12 number 603, is that the return receipt
13 information with respect to the mailing to
14 Excess Specialty Insurance?

15 A. Yes.

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16 Q. What was your purpose in sending
17 these notifications to Horizon's
18 underwriters?

19 A. I was requested by the legal
20 department to do so. We had asked Horizon
21 to provide copies of their notifications
22 to us and they had not so we had decided
23 to be cautious and send our own
24 notifications as well.

25 Q. Are you claiming as an initial

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1 M. L. Wieler
2 insured on Horizon's various policies?

3 A. Yes.

4 Q. Was that pursuant to a contract,
5 a construction contract between Horizon
6 and Iroquois?

7 A. That's correct.

8 Q. Did Iroquois ever send
9 independently notification to Horizon's
10 hull and machinery underwriters?

11 A. No.

12 MR. RADZIK: I'm going to show
13 you what's been produced as the
14 construction contract between Iroquois
15 and Horizon bearing Bates stamp
16 numbers IRO/AE 1 through 31.

17 Can I have this marked as
18 Exhibit 12, please.

93591.TXT

19 (Whereupon, a document entitled
20 Construction Contract was marked
21 Deposition Exhibit 12 for
22 identification.)
23 Q. Before we start with Exhibit 12,
24 is there any particular reason that
25 Iroquois did not independently pull

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1 M. L. Wieler
2 Horizon's hull and machinery on
3 notification of the claim?
4 A. Yeah, at the time when we made
5 these notifications, we were not aware
6 that the hull carrier had any aspect, had
7 any liability aspect to it. We thought
8 that it was strictly a hull policy,
9 property policy that covered property and
10 equipment of Horizon.
11 Q. Did you subsequently become
12 aware that the hull and machinery policy
13 did have a collision liability feature?
14 A. Not until much later. It was
15 actually around the time of November to
16 December of last year, Iroquois and
17 Horizon had some contractual disputes that
18 were being settled, and around that time
19 our general counsel had asked me to send
20 around drafts of that settlement, contract
21 settlement agreement to the various
Page 17

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22

1 M. L. Wieler
2 the carrier, but that's who I obtained it
3 from. We had been asking Horizon if they
4 notified the hull carrier and they told us
5 they did so we asked them to provide us
6 with the documentation and we didn't get
7 it from them, but I was dealing with Willy
8 Farmer getting these drafts circulated to
9 the various parties and I was able to get
10 this from Willy Farmer.

11 Q. And Willy Farmer is with
12 McGriff?

13 A. Yes.

14 Q. He's the present broker for
15 Horizon?

16 A. Present broker for Horizon, yes.

17 Q. Who has replaced Aon?

18 A. That's correct.

19 Q. Do you know when that change
20 took place?

21 A. I believe he told me that it was
22 recent so I want to say in November, 2005,
23 you know, a couple of months prior to
24 that.

25 MR. SINGLETON: You mean 2004.

□

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1 M. L. Wieler

2 Q. November, 2004?^{93591.TXT}

3 A. Yes.

4 Q. November, 2005 hasn't occurred
5 yet.

6 So around November of 2005, you
7 had a conversation with Willy Farmer of
8 McGriff's and he advised you that hull and
9 machinery underwriters had been put on
10 notice of the claim?

11 A. Yes, and he helped us get the
12 copy of the contractual settlement
13 agreement over to the hull underwriters
14 and the other underwriters of Horizon.

15 Q. But the contractual settlement
16 has nothing to do with the February 27
17 incident?

18 A. Yes, other than that being
19 around the time that we found out or that
20 we had heard that the hull policy might
21 have some bearing in the case.

22 MR. SINGLETON: Ed, let me just
23 interject here, there are actually
24 three separate litigations.

25 MR. RADZIK: We'll get into that.

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1 M. L. Wieler

2 MR. SINGLETON: But you keep
3 flopping back and forth. There was
4 the limitation action in Texas that

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5 deals with the anchorage, there was --

6 MR. RADZIK: We haven't gotten
7 there.

8 MR. SINGLETON: Then there was
9 the initial cable strike that occurred
10 around November of 2002. Then there
11 was a separate suit that Horizon
12 started in New York State court to
13 resolve contractual suits and Iroquois
14 counterclaimed in that. That is the
15 settlement that Michelle was talking
16 about that was the driving force
17 behind sending a settlement notice.

18 Q. You indicated earlier in your
19 testimony that you were not aware that the
20 hull and machinery policy had collision
21 and liability features to it; is that
22 right?

23 A. Yes.

24 Q. Did you take any part in
25 drafting or putting together the contract

□

25

1 M. L. Wieler
2 that's before you which is marked as
3 Exhibit 12?

4 A. No, the contract was drafted by
5 the legal department. I did take a look
6 at the insurance section to see if there
7 was anything that I thought needed to be

8 added, but this is the standard 93591.TXT
9 requirements that we require from
10 contractors.

11 Q. Did you review the insurance
12 provisions of this contract before it was
13 signed?

14 A. Before it was signed? Yeah, I
15 sent it over to Marsh, checked with them
16 to see if they noticed anything.

17 Q. Could you refer to the insurance
18 provisions in the contract? I believe
19 they're starting at page 0026. It looks
20 like they run from 0026 to 0031.

21 A. (Reviewing).

22 Q. I want to refer you specifically
23 to page 0027.

24 Do you see that?

25 A. Okay.

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1 M. L. Wieler

2 Q. And section 2.1.8, it refers to
3 marine hull and machinery insurance.

4 A. Okay.

5 Q. Did you review this provision
6 prior to the contract being signed?

7 A. Yeah, back in 2001 or whenever
8 this was being put together. Like I said,
9 I was given this to look over to see if
10 there was any other insurance requirements

93591.TXT
11 that we might need and forward it to Marsh
12 for them to look at as well.

13 Q. Did you see the language
14 section 2.1.8? It said, "if watercraft
15 are involved, including collision
16 liability?"

17 A. Yes.

18 Q. And that provision did not
19 trigger your or Iroquois' putting the hull
20 and machinery underwriters on notice at
21 the outset of the incident in March of
22 2003?

23 A. When we were putting together
24 the notifications, we went by an insurance
25 certificate provided to us from Aon and

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1 M. L. Wieler
2 the insurance certificate was organized in
3 a fashion where it listed the liability
4 policies, the CGL, the protection and
5 indemnity, the excess policies, it had a
6 section for Workers' Comp, and then it had
7 a section on the bottom for property
8 insurance and machinery and equipment, so
9 I was working off the insurance
10 certificate and I notified all of the
11 insurance companies that were listed as
12 having liability insurance. The
13 certificate was organized as such that the

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14 hull and machinery policy was listed as
15 machinery and equipment property
16 insurance, it wasn't indicated that there
17 was any liability portion of it, and I did
18 not have this in front of me when I was
19 doing that.

20 Q. Nevertheless, would you agree
21 with me that this provision in the
22 Iroquois Horizon contract varies somewhat
23 from the ordinary hull and machinery
24 policy inasmuch as it includes a feature
25 for collision liability?

□

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1 M. L. Wieler

2 A. I'm actually really not familiar
3 with hull and machinery policies. I don't
4 have any experience with them.

5 Q. Did anything prevent Iroquois
6 from notifying the hull and machinery
7 underwriters of this loss at the time of
8 the incident?

9 A. Only the fact that we were not
10 aware that there was an implication of a
11 hull and machinery policy. We made every
12 attempt to notify the insurers. Again, we
13 were not aware at the time.

14 Q. You were instructed by Iroquois'
15 legal counsel?

16 A. Legal counsel.

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14 A. I didn't put them on the web
15 site, no, and I haven't been to most of
16 them so I guess I can't know personally.

17 Q. To your knowledge, in
18 preparation for this pipeline or
19 Eastchester project, extension project,
20 did Iroquois have to obtain easements from
21 the Town of Huntington and from the City
22 of New York to drill horizontally,
23 directionally drill holes?

24 A. I believe they did.

25 Q. And to your knowledge, did

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1 M. L. Wieler

2 Iroquois have to obtain permits from the
3 department of -- New York Department of
4 Environmental Conservation?

5 A. It sounds reasonable, but I
6 don't have personal knowledge of it.

7 Q. And to your knowledge, did
8 Iroquois have to obtain permits from the
9 Office of General Services of New York
10 State?

11 A. I'm not sure.

12 Q. Do you know, after this
13 incident, whether Iroquois brought the
14 United States Coast Guard's office in New
15 York on notice of this incident?

16 A. I don't have personal knowledge.

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17 Q. Do you know whether, in
18 connection with the Eastchester extension
19 project, Iroquois had to obtain permits
20 from the New York office of the Army Corps
21 of Engineers?
22 A. I don't have personal knowledge.
23 Again, the permitting area is not my area.
24 Q. Who within Iroquois would
25 know --

□

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1 M. L. Wieler
2 A. I think Ken Webb would have been
3 responsible for obtaining all the permits.
4 Q. Ken Webb was the project
5 manager?
6 A. Yes.
7 Q. Is he now employed as a
8 consultant for Iroquois?
9 A. I believe so.
10 Q. Now, in connection with the
11 Eastchester project, did Iroquois enter
12 into what's called a crossing agreement
13 with the New York Power Authority?
14 A. Yes.
15 MR. RADZIK: I show you what's
16 been produced by your counsel bearing
17 Bates stamp numbers IRO/AE 0755
18 through IRO/AE 00785.
19 (Whereupon, a document entitled

93591.TXT
20 Crossing Agreement Long Island Sound
21 was marked Deposition Exhibit 17
22 for identification.)
23 Q. Ms. Wieler, do you recognize
24 Exhibit 17 as the crossing agreement
25 between the Power Authority of the State

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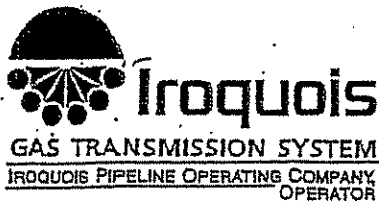
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1 M. L. Wieler
2 of New York and Iroquois?
3 A. It appears to be.
4 Q. Are you familiar with the
5 insurance provisions in Exhibit 17?
6 A. Yes. I would have worked with
7 Marsh to get insurance certificates for
8 the New York Power Authority, the evidence
9 that we had the insurance in place.
10 MR. RADZIK: I will show you a
11 document -- three documents, the first
12 one is a certificate of insurance on
13 Marsh letterhead.
14 (Whereupon, a document entitled
15 Certificate of Insurance
16 was marked Deposition Exhibit 18
17 for identification.)
18 Q. I show you Exhibit 18 which
19 actually is five pages and ask you if
20 those are the certificates of insurance
21 that Iroquois provided to the New York
22 Power Authority in connection with the

93591.TXT
23 Eastchester extension project.
24 A. (Reviewing).
25 Yes, that's what they appear to

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1 M. L. Wieler
2 be.
3 Q. Did you have any involvement
4 with the provision of these certificates
5 to the New York Power Authority?
6 A. As I said, I worked with Marsh
7 to get certificates of insurance to
8 evidence the insurance.
9 Q. To your knowledge, is the
10 crossing agreement marked as Exhibit 17,
11 is that governed by New York law?
12 A. I really don't -- I don't know
13 about law.
14 Q. Do you know if it's Iroquois'
15 intention when it enters into contracts to
16 have provisions for the application of New
17 York law?
18 MR. SINGLETON: Objection.
19 A. I don't know.
20 Q. How about its insurance
21 policies?
22 A. What about its insurance
23 policies?
24 Q. Does Iroquois strive to have New
25 York -- the application of New York law



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

AEGIS
10 Exchange Place
Jersey City, NJ 07302

RE: Protection and Indemnity
Policy Number ARS-3175

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

Michelle L. Wieler
Risk Management

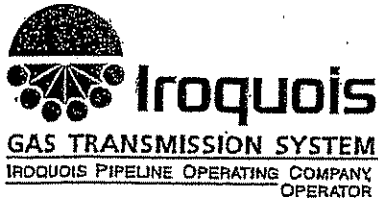
cc: Jeffrey Bruner - Iroquois Legal



IRO/AE 00584

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>AEGIS 10 Exchange Place Jersey City, NJ 07302</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service) 7002 0460 0000 9136 0958</p>			
<p>PS Form 3811, August 2001 Domestic Return Receipt 102585-02-M-1540</p>			

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<p>Postage \$</p> <p>Certified Fee</p> <p>Return Receipt Fee (Endorsement Required)</p> <p>Restricted Delivery Fee (Endorsement Required)</p> <p>Total Postage & Fees \$</p>	<p>Postmark Here</p>
<p>Sent To AEGIS</p>	
<p>Street, Apt. No., or PO Box No. 10 Exchange Place</p>	
<p>City, State, ZIP+4 Jersey City NJ 07302</p>	
<p>PS Form 3800, January 2001 See Reverse for Instructions</p>	



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 18, 2003

Via Certified Mail

American Home Assurance Co.
70 Pine Street, 3rd Floor
New York, NY 10270

RE: Excess Liabilities
Policy Number ARS-3215

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

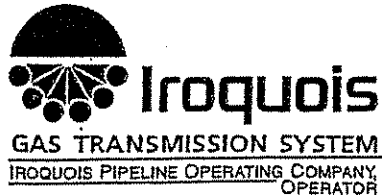
Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

American Home Assurance Co.
70 Pine Street, 3rd Floor
New York, NY 10270

RE: Excess Liabilities
Policy Number ARS-3215

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

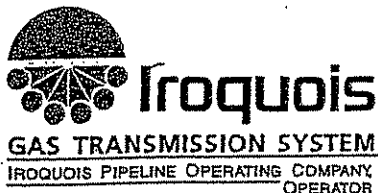
Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 18, 2003

Via Certified Mail

American Home Assurance Company
c/o American-International Marine Agency, Inc.
675 Bering Drive, Suite 600
Houston, TX 77057

RE: Excess Liabilities
Policy Number C-1727
(ARS-3177)

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal



IRO/AE 00588

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature X <u>[Signature]</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery <u>3/4/03</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p><u>American Home Assurance</u> <u>675 Bering Drive Suite 600</u> <u>Houston TX</u> <u>77057</u></p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number</p> <p>(Transfer from service) <u>7002 0460 0000 9136 0934</u></p>			
PS Form 3811, August 2001		Domestic Return Receipt 102595-02-M-1540	

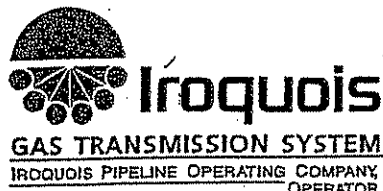
U.S. Postal Service
CERTIFIED MAIL RECEIPT
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Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To American Home Assurance
Street, Apt. No., or PO Box No. 675 Bering Drive
City, State, ZIP+4 Houston TX 77057

PS Form 3800, January 2001 See Reverse for Instructions



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 18, 2003

Via Certified Mail

American Home Assurance Company
c/o American International Marine Agency, Inc.
675 Bering Drive, Suite 600
Houston, TX 77057

RE: General Liabilities
Policy Number C-1727
(ARS3177)

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,


Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal

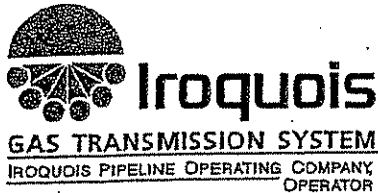


recycled paper

IRO/AE 00590

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>American Home Assurance Co. 675 Bearing Drive Suite 600 Houston, TX 77057</p>		<p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p>	
		<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7002 2410 0001 2474 3016</p>	
<p>PS Form 3811, August 2001</p>		<p>Domestic Return Receipt 102595-02-M-1540</p>	

IRO/AE 00591



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 18, 2003

Via Certified Mail

Navigators Insurance Company
via Navigators Insurance Services of Texas, Inc.
Sage Park 1
2121 Sage, Suite 145
Houston, TX 77056

RE: Excess Liabilities
Policy Number ARS-3215

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

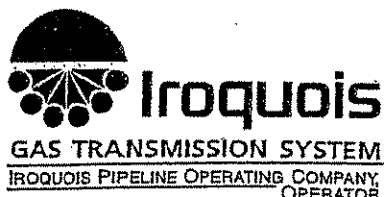
Michelle L. Wieler

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To Navigators Insd. Company	
Street, Apt. No., or PO Box No. SAGE PARK 1 2121 SAGE	
City, State, ZIP+4 Houston, TX 77056	
PS Form 3800, January 2001 See Reverse for Instructions	

IRO/AE 00582



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

The Steamship Mutual Underwriting Associates (Bermuda) Ltd.
Steamship Insurance Management Services Ltd.
Aquatical House
39 Bell Lane
London, E17LU
United Kingdom

RE: **Protection and Indemnity**
Policy Number ARS-3176

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

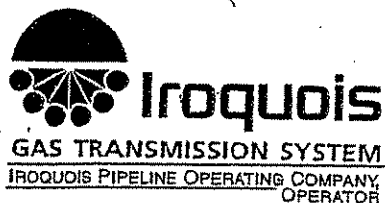
Michelle L. Wieler

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To <i>Steamship Underwriting</i>	
Street, Apt. No., or PO Box No. <i>39 Bell Lane</i>	
City, State, ZIP+4 <i>London England E17LU</i>	
PS Form 3800, January 2001 See Reverse for Instructions	

IRO/AE 00583



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

Liberty Insurance Underwriters
61 Broadway, 32nd Floor
New York, NY 10006

RE: Excess Liabilities
Policy Number ARS-3215

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

A handwritten signature in cursive script that reads "Michelle L. Wieler".

Michelle L. Wieler
Risk Management

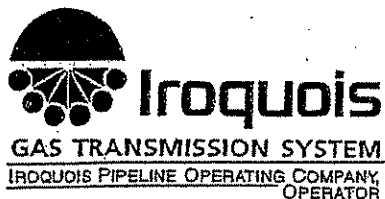
cc: Jeffrey Bruner - Iroquois Legal



IRO/AE 00596

SENDER: COMPLETE THIS SECTION		RECIPIENT: COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Liberty Insurance Underwriters 61 Broadway 32 Floor New York, NY 10006</p>		<p>B. Received by (Printed Name) C. Date of Delivery E.M. Kohn 3-2-0</p>	
<p>2. Article (Title)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>PS Form 3800, January 2001</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>		<p>102595-02-M-1540</p>	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
<p>Sent To Liberty Insurance Underwriters Street, Apt. No., or PO Box No. 61 Broadway 32 Floor City, State, ZIP+4 New York NY 10006</p>	
<p>PS Form 3800, January 2001 See Reverse for Instructions</p>	



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

Navigators Insurance Co.
One Penn Plaza, 55th Floor
New York, NY 10119

2121 Sage Suite 145
Houston, TX 77056

RE: Excess Liability
Policy Number ARS 3215

Your Insured: Horizon Offshore Contractors, Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal

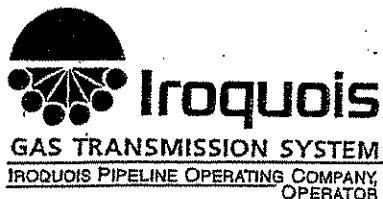


recycled paper

IRO/AE 00600

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature <i>[Signature]</i>	
1. Article Addressed to: Navigator Insurance One Penn Plaza 55th Floor New York, NY 10119		B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery 3-20-05	
2. Article (If Restricted Delivery is desired, attach this card to the back of the mailpiece, or on the front if space permits.)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3800, January 2001		102595-02-M-1540	

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$	Postmark Here
Sent To Navigator Insurance Street, Apt. No., or PO Box No. One Penn Plaza City, State, ZIP+4 New York NY 10119	
PS Form 3800, January 2001 See Reverse for Instructions	



ONE CORPORATE DRIVE, SUITE 600
SHELTON, CT 06484-6211

TEL: (203) 925-7200
FAX: (203) 929-9501

March 17, 2003

Via Certified Mail

XL Specialty Insurance Co.
1540 E. American Lane, 20th Floor
Schaumburg, IL 60173

**RE: Excess Liabilities
Policy Number ARS-3215**

Your Insured: Horizon Offshore Contractors Inc.

Dear Ladies and Gentlemen:

On February 27, 2003 the New York Power Authority's (NYPA) Y49 cable was struck and damaged. NYPA has informed us that the costs associated with the temporary as well as permanent repairs will be extensive.

Although one would assume that your named insured has notified you concerning this loss, we as additional insured are nonetheless alerting you of NYPA's loss and Iroquois' potential claim against the policy of insurance written by your company.

Kindly acknowledge receipt of same.

Very truly yours,

A handwritten signature in cursive script that reads "Michelle L. Wieler".

Michelle L. Wieler
Risk Management

cc: Jeffrey Bruner - Iroquois Legal



IRO/AE 00602

SENDER: COMPLETE THIS SECTION		RECEIVER: COMPLETE THIS SECTION	
<p>■ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>XL Specialty Insurance Co. 1540 E. American Lane 20th Floor Shawmberg, IL 60173</p>		<p>B. Received by (Printed Name) David L. Smith</p> <p>C. Date of Delivery MAR 21 2003</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7002 0460 0000 9136 0989</p>		<p>D. Is delivery address different from item 1? If YES, enter delivery address below:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540</p>			

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
<p>Sent To XL Specialty Ins. Co. Street, Apt. No., or PO Box No. 1540 E. American Lane City, State, ZIP+4 Shawmberg IL 60173</p>	
<p>PS Form 3800, January 2001 See Reverse for Instructions</p>	

VIA FAX



Aon Natural Resources

1330 Post Oak Boulevard, Suite 900

Houston, Texas 77056

Telephone: (832) 476-6000; Telefax: (832) 476-6590

REPORT OF LOSS ON:

Protection & Indemnity

DATE:

March 4, 2003

To:

COMPANY

Associated Electric & Gas Insurance
Services Limited (AEGIS), Hamilton,
Bermuda per Origin Limited, London, U.K.
c/o JLT Risk Solutions Limited
London, England, U.K.
Attn: Mr. Simon Dawes

POLICY NO.

ARS-3175

INTEREST

100%

Please accept notice of the following casualty which may result in a claim for: Damage to Property

Name of the Assured: Horizon Offshore, Inc. and Horizon Offshore Contractors, et al.

Policy Inception: 2/26/02 Date of Casualty: 2/27/03 Policy Expiration: 5/1/03

Insured Vessel: GULF HORIZON Limit of Liability \$ 950,000 O. A. O.

Excess of: \$ 50,000 Deductible: \$ N/A AAD: \$ N/A Stop Loss: \$ N/A

Place where casualty occurred: Long Island Sound, NY

Nature of Casualty: Whilst performing pipelaying operations (pipe burial) the insured vessel's anchor cable parted and allegedly damaged a sub-sea power cable owned by the New York Power Authority.

Estimated amount of entire loss \$ (unknown) Excess \$ N/A

Instructed: _____

Remarks: Details of casualty and developments will be reported in due course.

Claim #: 03-M5058 Producer: BJ Claims Made: No

Client's Claim #: _____

by:

James I. Montano

If you have any instructions to give, please advise us promptly.

PLEASE ACKNOWLEDGE RECEIPT BY SIGNING AND RETURNING A COPY OF THIS NOTICE

Signature: _____

\\clerk002\shared\BUSINESS UNITS\NR\Claims\Claims Shared\Horizon\03-M5058.doc-1

This information contained in this fax is confidential and/or privileged. This fax is intended to be received initially by only the individual named above. If the reader of this transmitted page is not the intended recipient or a representative of the intended recipient, you are hereby notified that any review, dissemination, copying of this fax or the information contained herein is prohibited. If you have received this fax in error, please immediately notify the sender by telephone and return this fax to the sender at the address above.

07/17/2003 THU 15:56 [TX/RX NO 82073] 0011

IRO/AE 00604